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10/502,415

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Donald Michael Charles

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EXAMINER

LENNOX, NATALIE

ART UNIT

PAPER NUMBER

2626

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/502,415

Applicant(s)

CHARLES ET AL.

Examiner

Natalie Lennox

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on July 23, 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>07/23/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6, 9-13, and 15-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Schalk et al. (US 2003/0154075).

As per claims 16, 17, and 1, Schalk et al. teach an information processing system, a voice recognition system forming part of an information processing system, and a method, respectively, for recognising a spoken identification sequence including one or more different types of identifiers (Paragraph [0002] The identifier type formats may be alphabet or alphanumeric strings), the spoken identification sequence having one of a plurality of possible predefined identifier type formats (Paragraph [0002] alphabet or alphanumeric string), comprising:

(a) maintaining a database of identification sequences having at least a first of said possible predefined identifier type formats (Paragraphs [0002], [0027]-[0028] and [0033]. The identifier type formats may be alphabet, pure digit strings (paragraph [0033]) or alpha-numeric strings according to the application (postal codes, license plates, etc.) as described in paragraph [0028]);

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(b) establishing a connection between a caller and a voice recognition system operatively connected to the at least one database (Paragraphs [0004] and [0028], lines 1-5);

(c) selecting one of said possible predefined identifier type formats (Paragraph [0035], wherein the positional constraints represent the predefined identifier type formats) and

(d) if the voice recognition system determines that the selected identifier type format corresponds to said first identifier type format, providing said spoken identification sequence to the voice recognition system for analysis according to the first identifier type format (Paragraphs [0035] and [0019], lines 13-16).

As per claim 2, Schalk et al. teach a method according to claim 1, wherein one type of identifier is a letter (Paragraph [0035], wherein a letter is part of an alphabetic string).

As per claim 3, Schalk et al. teach a method according to claim 2, wherein another type of identifier is a number (Paragraph [0035], wherein a number is part of an alphanumeric string).

As per claim 4, Schalk et al. teach a method according to claim 2, wherein the spoken identification sequence comprises an alpha numeric sequence of characters (Paragraph [0035]).

As per claim 5, Schalk et al. teach a method according to claim 1, wherein the identification sequence is a vehicle license plate number (Paragraph [0028]).

As per claim 6, Schalk et al. teach a method according to claim 5, wherein the predefined identifier type format comprises a combination of a series of one or more letters and a series of one or more numbers defining the vehicle license plate number (Paragraphs [0028] and [0035], wherein an application for the system is for license plates, also the system recognizes alpha-numeric strings).

As per claim 9, Schalk et al. teach a method for recognising a spoken identification sequence including one or more different types of identifiers (Paragraph [0002] The identifier type formats may be alphabet or alphanumeric strings), the spoke identification sequence having one of a plurality of possible predefined identifier type formats (Paragraph [0002] alphabet or alphanumeric string), the method including the steps of:

(a) maintaining at least one database of identification sequences having at least a first of said possible predefined identifier type formats (Paragraphs [0002], [0027]-[0028] and [0033]. The identifier type formats may be alphabet, pure digit strings (paragraph [0033]) or alpha-numeric strings according to the application (postal codes, license plates, etc.) as described in paragraph [0028]);

(b) selecting one of said possible predefined identifier type formats (Paragraph [0035], wherein the positional constraints represent the predefined identifier type formats);

(c) determining that the selected identifier type format corresponds to one of the predefined identifier type formats, said determination being preformed by a voice recognition system (Paragraph [0035]); and

(d) if the voice recognition system determines that the selected identifier type format corresponds to one of said predefined identifier type formats, providing said spoken identification sequence to the voice recognition system for analysis according to the predefined identifier type format (Paragraphs [0035] and [0019], lines 13-16).

As per claim 10, Schalk et al. teach a method according to claim 9, wherein the identification sequence is a vehicle license plate number (Paragraph [0028]).

As per claim 11, Schalk et al. teach a method according to claim 10, the method further including:

providing user access to a further database containing details of multiple registered license plate numbers (Paragraphs [0028] and [0030]-[0032], wherein paragraph [0028] specifies providing access to a database containing license plates number. Further paragraphs [0030]-[0032] specifies the use of a PIN number in conjunction with an account number (license plate number). This account number and PIN number suggest that the method is used to provide access to an account, which inherently acts as a database providing information related to the application or service.).

As per claim 12, Schalk et al. teach a method according to claim 11, wherein user access to said further database is facilitated upon providing a user identifier (Paragraphs [0030]-[0032], wherein a PIN number represents the identifier for facilitating access to an account, which inherently acts as a database providing information related to the application or service.).

As per claim 13, Schalk et al. teach a method according to claim 11, the method further including:

providing user access to one or more accounts maintained for each registered license plate number (Paragraphs [0028] and [0030]-[0032], wherein paragraph [0028] specifies providing access to a database containing license plates number. Further paragraphs [0030]-[0032] specifies the use of a PIN number in conjunction with an account number (license plate number). This account number and PIN number suggest that the method is used to provide access to an account.).

As per claim 15, Schalk et al. teach a method according to claim 9, the method further including:

the user establishing a connection to a voice recognition system connected to the at least One database; and providing a spoken identification sequence which is recognised as corresponding to one of the predefined

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identifier type formats (Paragraph [0019], wherein in the example the database is for identifying a credit card number; and Paragraph [0035]).

As per claim 18, Schalk et al. teach the voice recognition system of claim 17 further comprising a computer program including computer program code, the computer program code causing the processing unit to perform the steps of receiving one of said possible predefined identifier type formats selected by a caller and analyzing said spoken identification sequence provided to the voice recognition system by the caller according to the first identifier type format (Paragraphs [0019] and [0035], wherein the positional constraints represent the predefined identifier type formats).

3. Claim 8 is rejected under 35 U.S.C. 102(e) as being anticipated by Elliot (US Patent 6,366,220).

As per claim 8, Schalk et al. teach a method for purchasing a pass for a toll road network, including the steps of:

recognizing a spoken identification sequence (Col. 9, lines 56-60 and Col. 1, lines 19-27, wherein the IVR recognizes the required information, and wherein the required information for opening an account is an account number associated with the customer including vehicle model, or license plate number.); and

purchasing the pass for use in conjunction with a vehicle associated with the spoken identification sequence (Col. 1, lines 19-27, wherein purchasing the pass is performed by opening the account and receiving the RF tag (pass)).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schalk et al. (US 2003/0154075) in view of Roberts et al. (US Patent 6,119,084).

As per claim 7, Schalk et al. teach a method according to claim 1, however, they do not specifically mention the method further including the step of:

the caller entering information via a telephone keypad in response to prompts for information from an interactive voice response system.

Conversely, Roberts et al. teach the caller entering information via a telephone keypad in response to prompts for information from an interactive voice response system (Roberts' Col. 1, lines 23-28).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have used the feature of the caller entering information via a telephone keypad in response to prompts for information from an interactive voice response system as taught by Roberts for Schalk's method because keypresses and codes are easy to discern and verify by an interactive voice response (IVR) system (Col. 1, lines 27-28).

6. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schalk et al. (US 2003/0154075) in view of Layton et al. (US Patent 6,829,478).

As per claim 14, Schalk et al. teach a method according to claim 13, but they do not specifically mention the method further including:

enabling user modification of selected accounts and/or registered license plate numbers.

However, Layton et al. teaches enabling user modification of selected accounts and/or registered license plate numbers (Col. 2, lines 53-62).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have used the feature of enabling user modification of selected accounts and/or registered license plate numbers as taught by Layton et al. for Schalk et al.'s method because Layton et al. provides an information management network to allow customers to modify their account information in order to keep the information up-to-date (Col. 2, lines 16-19).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Natalie Lennox whose telephone number is (571) 270-1649. The examiner can normally be reached on Monday to Friday 9:30 am - 7 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571)272-7602.

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The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NL 11/06/2007


RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER